

SCR-33, As Adopted by Senate, October 6, 2005

Substitute for Senate Concurrent Resolution No. 33.

A concurrent resolution to urge the Michigan Supreme Court to take whatever steps are necessary to maintain the status quo, with regard to same-sex benefits, that was in place prior to the September 28, 2005, 30th Circuit Court ruling in order to prevent the spending of taxpayer monies to fund benefits for homosexual unions until the court has reached a final adjudication.

Whereas, Michigan voters overwhelmingly amended their constitution in November 2004, adding Article I, Section 25, expressing a clear intent that marriage be limited to heterosexual couples and that the “benefits of marriage” be secured for “our society and for future generations”; and

Whereas, Attorney General Cox ruled as early as March 16, 2005, that governmental entities may not offer benefits to same-gender partners, as such a practice is disallowed under Article I, Section 25 of the Michigan Constitution; and

Whereas, Governor Granholm has authorized negotiations with state employees to offer benefits to same-gender people in unions mimicking marriage; and

Whereas, Suit was brought in the 30th Circuit Court asking that the court uphold the ability of governmental entities to offer benefits to homosexual couples in unions that mimic marriage despite the constitutional language; and

Whereas, On September 28, 2005, the 30th Circuit Court ruled, in the case *National Pride At Work, et al, v. Jennifer Granholm and Michael A. Cox*, that governmental entities could offer benefits to homosexual couples in unions that mimic marriage; and

Whereas, The governor has stated publicly that she intends to implement “quickly” such benefits for state employees in such unions; now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That we urge the Michigan Supreme Court to take whatever steps are necessary to maintain the status quo, with regard to same-sex benefits, that was in place prior to the September 28, 2005, 30th Circuit Court ruling in order to prevent the spending of taxpayer monies to fund benefits for homosexual unions until the court has reached a final adjudication; and be it further

Resolved, That copies of this resolution be transmitted to the Michigan Supreme Court.

R 0285 '05(S-2)